

REMARKS

1. Present Status of Patent Application

This is a full and timely response to the outstanding non-final Office Action mailed May 2, 2007. Reconsideration and allowance of the application and presently pending claims are respectfully requested. The pending claims are believed to be allowable.

2. Telephone Interview Summary

Applicants first wish to express their sincere appreciation for the time that Examiner Morrison spent with Applicant's Attorney, Mr. Charles W. Griggers, during a telephone discussion on July 26, 2007 regarding the outstanding Office Action. During the discussion, proposed amendments and arguments were discussed regarding the outstanding rejection (which are contained herein). The Examiner clarified that the references were cited, in part, to show that a solution to a problem is often determined on the basis of choosing a solution having a minimum cost or penalty associated with it, as exemplified by the *Asthana* reference (U.S. Patent No. 5,265,006). Applicant addresses this concern in the remarks which follow. Accordingly, Applicant respectfully requests the Examiner to consider the present response.

3. Response to Rejections of Claims under 35 U.S.C. § 103

In the Office Action, claims 1-9 and 12-13 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Kuhn* (U.S. Patent No. 6,891,937) in view of *Doherty* (U.S. Patent No. 6,735,293) in further view of *Asthana* (U.S. Patent No. 5,265,006) in further view of *Clements* ("Quality-of-Service and Market Implications of Asymmetric Standards in Telecommunications," The National Regulatory Research Institute, October 1998). Claims 10-11, 14-17, 19-30, 33-42, and 46-47 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Kuhn* in view of *Doherty* in further view of *Asthana* in further view of *Clements* in further view of *Jones* (U.S. Patent No. 6,763,333).

a. Claim 1

As provided in independent claim 1, Applicants claim:

A trouble ticket handling system, comprising:
login logic configured to log a user into a plurality of trouble ticket systems;

a monitoring device configured to poll the plurality of trouble ticket systems comprising a plurality of open trouble tickets; and

user interface logic configured to enable the user to automatically load a proper trouble ticket from any of the plurality of open trouble tickets at the plurality of trouble ticket systems and assign the proper trouble ticket to the user, determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket from different regulatory agencies, wherein the proper trouble ticket is chosen from the regulatory agency in which the regulatory fine is the largest.

(Emphasis added).

Applicants respectfully submit that independent claim 1 is allowable for at least the reason that *Kuhn* in view of *Doherty* in further view of *Asthana* in further view of *Clements* does not disclose, teach, or suggest at least "user interface logic configured to enable the user to automatically load a proper trouble ticket from any of the plurality of open trouble tickets at the plurality of trouble ticket systems and assign the proper trouble ticket to the user, determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket from different regulatory agencies, wherein the proper trouble ticket is chosen from the regulatory agency in which the regulatory fine is the largest," as recited and emphasized above in claim 1.

For example, *Kuhn* describes a GUI interface that allows for access to multiple applications associated with telecommunication service data and information retrieval. *Kuhn* does not teach or suggest assigning trouble tickets to a technician in the manner described above. In particular, *Kuhn* fails to teach or suggest "determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket," as recited in claim 1. Further, *Doherty* describes a system where "[w]ork orders are automatically generated in accordance with technician work schedules and skill levels, and the work orders are dispatched electronically to the

technician assigned to perform a service installation or equipment repair. After a work order is dispatched, the work order is tracked to ensure that the work order is completed, with automatic interim rescheduling, if required." Col. 2, lines 35-41. *Doherty* does not teach or suggest assigning trouble tickets to a technician in the manner described above. In particular, *Kuhn* fails to teach or suggest "determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket," as recited in claim 1.

Further, *Asthana* describes a procedure for determining a solution to the problem of relocating vans from areas having an excess amount of vans to areas having a deficient amount of vans by minimizing a total cost of relocating the vans. See col. 15, lines 15-24. Accordingly, *Asthana* does not teach or suggest assigning trouble tickets to a technician in the manner described above. As such, *Asthana* fails to teach or suggest "determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket," as recited in claim 1. While *Asthana* may demonstrate that a solution to a problem may be determined on the basis of choosing a solution having a minimum cost or penalty associated with it, *Asthana* fails to disclose assigning a trouble ticket to a technician on the basis of a regulatory fine that is subject to being levied, as described in claim 1. On the basis of using a regulatory fine (that is subject to being levied against a trouble ticket) as opposed to using pendency, subject matter of ticket, FIFO, desires of technician, etc., allowance of claim 1 is warranted.

Likewise, *Clements* discusses the advantages and disadvantages of symmetrical quality-of-service standards and asymmetric quality-of-service standards and also discusses the role of regulation in production efficiency and market signals. See, e.g., page 17. *Clements* does not teach or suggest assigning trouble tickets to a technician in the manner described above. As an example, *Clements* fails to teach or suggest assigning a trouble ticket where "determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket," as recited in claim 1.

Therefore, none of the cited references seem to come close to disclosing assigning a trouble ticket to a user and determining the trouble ticket to be assigned

based upon a ticket having the largest regulatory fine that is subject to being levied. Therefore, *Kuhn* in view of *Doherty* in further view of *Asthana* in further view of *Clements* does not disclose, teach, or suggest at least "user interface logic configured to enable the user to automatically load a proper trouble ticket from any of the plurality of open trouble tickets at the plurality of trouble ticket systems and assign the proper trouble ticket to the user, determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket from different regulatory agencies, wherein the proper trouble ticket is chosen from the regulatory agency in which the regulatory fine is the largest," as recited in claim 1. Thus, a *prima facie* case of obviousness has not been established, and the rejection of claim 1 should be withdrawn.

b. Claims 2-17

For at least the reasons given above, claim 1 is allowable over the cited art of record. Since claims 2-9 and 12-13 depend from claim 1 and recite additional features, claims 2-9 and 12-13 are allowable as a matter of law over the cited art of record. Since claims 10-11 and 14-17 depend from claim 1, recite additional features, and *Jones* fails to cure the deficiencies of the *Kuhn*, *Doherty*, *Asthana*, and *Clements* reference, claims 10-11 and 14-17 are allowable as a matter of law over the cited art of record.

c. Claim 19

As provided in independent claim 19, Applicants claim:

A method of assigning trouble tickets, comprising:
periodically polling a plurality of trouble ticket systems for at least one trouble ticket associated with a support center;
sorting said at least one trouble ticket with a plurality of previously received trouble tickets;
storing a plurality of sorted trouble tickets in a memory device;
receiving a request for a trouble ticket from a technician at the support center; and
providing the technician with a proper trouble ticket from the plurality of sorted trouble tickets, determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket from different regulatory

agencies, wherein the proper trouble ticket is chosen from the regulatory agency in which the regulatory fine is the largest.

(Emphasis added).

Applicants respectfully submit that independent claim 19 is allowable for at least the reason that *Kuhn* in view of *Doherty* in further view of *Asthana* in further view of *Clements* in further view of *Jones* does not disclose, teach, or suggest at least the feature of "providing the technician with a proper trouble ticket from the plurality of sorted trouble tickets, determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket from different regulatory agencies, wherein the proper trouble ticket is chosen from the regulatory agency in which the regulatory fine is the largest," as recited and emphasized above in claim 19.

For example, *Kuhn* describes a GUI interface that allows for access to multiple applications associated with telecommunication service data and information retrieval. *Kuhn* does not teach or suggest assigning trouble tickets to a technician in the manner described above. In particular, *Kuhn* fails to teach or suggest "determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket," as recited in claim 19. Further, *Doherty* describes a system where "[w]ork orders are automatically generated in accordance with technician work schedules and skill levels, and the work orders are dispatched electronically to the technician assigned to perform a service installation or equipment repair. After a work order is dispatched, the work order is tracked to ensure that the work order is completed, with automatic interim rescheduling, if required." Col. 2, lines 35-41. *Doherty* does not teach or suggest assigning trouble tickets to a technician in the manner described above. In particular, *Doherty* fails to teach or suggest "determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket," as recited in claim 19.

Further, *Asthana* describes a procedure for determining a solution to the problem of relocating vans from areas having an excess amount of vans to areas having a deficient amount of vans by minimizing a total cost of relocating the vans. See col. 15, lines 15-24. Accordingly, *Asthana* does not teach or suggest assigning trouble tickets

to a technician in the manner described above. As such, *Asthana* fails to teach or suggest "determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket," as recited in claim 19. While *Asthana* may or may not demonstrate that a solution to a problem may be determined on the basis of choosing a solution having a minimum cost or penalty associated with it, *Asthana* fails to disclose assigning a trouble ticket on the basis of a regulatory fine that is subject to being levied, as described in claim 19. On the basis of using a regulatory fine (that is subject to being levied against a trouble ticket) as opposed to using pendency, subject matter of ticket, FIFO, desires of technician, etc., allowance of claim 19 is warranted.

Further, *Clements* discusses the advantages and disadvantages of symmetrical quality-of-service standards and asymmetric quality-of-service standards and also discusses the role of regulation in production efficiency and market signals. See, e.g., page 17. Accordingly, *Clements* fails to teach or suggest "determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket," as recited in claim 19. Therefore, *Clements* does not teach or suggest assigning trouble tickets to a technician in the manner described above.

Further, *Jones* describes a system for monitoring trouble reports or tickets. *Jones* does not teach or suggest assigning trouble tickets to a technician in the manner described above. For example, *Jones* fails to teach or suggest "determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket," as recited in claim 19.

Therefore, none of the cited references seem to come close to disclosing assigning a trouble ticket to a user and determining the trouble ticket to be assigned based upon a ticket having the largest regulatory fine that is subject to being levied. Therefore, *Kuhn* in view of *Doherty* in further view of *Asthana* in further view of *Clements* in further view of *Jones* does not disclose, teach, or suggest at least "providing the technician with a proper trouble ticket from the plurality of sorted trouble tickets, determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket from different regulatory agencies, wherein the proper trouble ticket is chosen from the regulatory agency in

which the regulatory fine is the largest,” as recited in claim 19. Thus, a *prima facie* case of obviousness has not been established, and the rejection of claim 19 should be withdrawn.

d. Claims 20-30

For at least the reasons given above, claim 19 is allowable over the cited art of record. Since claims 20-30 depend from claim 19 and recite additional features, claims 20-30 are allowable as a matter of law over the cited art of record.

e. Claim 33

As provided in independent claim 33, Applicants claim:

A computer readable medium having a program for assigning a trouble ticket to a responsible technician, the program having instructions to perform:

periodically polling a plurality of trouble ticket systems for at least one trouble ticket associated with a support center;

sorting said at least one trouble ticket with a plurality of previously received trouble tickets responsive to a tracking key and time stamp included with each of the trouble tickets;

storing a plurality of sorted trouble tickets in a memory device;

receiving a request for a trouble ticket from a technician at the support center; and

assigning the technician to a proper trouble ticket from the plurality of sorted trouble tickets, determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket from different regulatory agencies, wherein the proper trouble ticket is chosen from the regulatory agency in which the regulatory fine is the largest.

(Emphasis added).

Applicants respectfully submit that independent claim 33 is allowable for at least the reason that *Kuhn* in view of *Doherty* in further view of *Asthana* in further view of *Clements* in further view of *Jones* does not disclose, teach, or suggest at least the feature of “assigning the technician to a proper trouble ticket from the plurality of sorted trouble tickets, determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket from different regulatory agencies, wherein the proper trouble ticket is chosen from the regulatory

agency in which the regulatory fine is the largest," as recited and emphasized above in claim 33.

For example, *Kuhn* describes a GUI interface that allows for access to multiple applications associated with telecommunication service data and information retrieval. *Kuhn* does not teach or suggest assigning trouble tickets to a technician in the manner described above. In particular, *Kuhn* fails to teach or suggest "assigning the technician to a proper trouble ticket from the plurality of sorted trouble tickets, determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket," as recited in claim 33. Further, *Doherty* describes a system where "[w]ork orders are automatically generated in accordance with technician work schedules and skill levels, and the work orders are dispatched electronically to the technician assigned to perform a service installation or equipment repair. After a work order is dispatched, the work order is tracked to ensure that the work order is completed, with automatic interim rescheduling, if required." Col. 2, lines 35-41. *Doherty* does not teach or suggest assigning trouble tickets to a technician in the manner described above. In particular, *Doherty* fails to teach or suggest "assigning the technician to a proper trouble ticket from the plurality of sorted trouble tickets, determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket," as recited in claim 33.

Further, *Asthana* describes a procedure for determining a solution to the problem of relocating vans from areas having an excess amount of vans to areas having a deficient amount of vans by minimizing a total cost of relocating the vans. See col. 15, lines 15-24. Accordingly, *Asthana* does not teach or suggest assigning trouble tickets to a technician in the manner described above. *Asthana* fails to teach or suggest "assigning the technician to a proper trouble ticket from the plurality of sorted trouble tickets, determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket," as recited in claim 33. While *Asthana* may or may not demonstrate that a solution to a problem may be determined on the basis of choosing a solution having a minimum cost or penalty associated with it, *Asthana* fails to disclose assigning a trouble ticket on the basis of a regulatory fine that is subject to being levied, as described in claim 33. On the basis of

using a regulatory fine (that is subject to being levied against a trouble ticket) as opposed to using pendency, subject matter of ticket, FIFO, desires of technician, etc., allowance of claim 33 is warranted.

With respect to *Clements*, it discusses the advantages and disadvantages of symmetrical quality-of-service standards and asymmetric quality-of-service standards and also discusses the role of regulation in production efficiency and market signals. See, e.g., page 17. Accordingly, *Clements* fails to teach or suggest "assigning the technician to a proper trouble ticket from the plurality of sorted trouble tickets, determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket," as recited in claim 33. As a result, *Asthana* and *Clements* do not teach or suggest assigning trouble tickets to a technician in the manner described above.

Further, *Jones* describes a system for monitoring trouble reports or tickets. *Jones* does not teach or suggest assigning trouble tickets to a technician in the manner described above. In particular, *Jones* fails to teach or suggest "assigning the technician to a proper trouble ticket from the plurality of sorted trouble tickets, determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket," as recited in claim 33.

As such, none of the cited references seem to come close to disclosing assigning a trouble ticket to a user and determining the trouble ticket to be assigned based upon a ticket having the largest regulatory fine that is subject to being levied. Therefore, *Kuhn* in view of *Doherty* in further view of *Asthana* in further view of *Clements* in further view of *Jones* does not disclose, teach, or suggest at least "assigning the technician to a proper trouble ticket from the plurality of sorted trouble tickets, determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket from different regulatory agencies, wherein the proper trouble ticket is chosen from the regulatory agency in which the regulatory fine is the largest," as recited in claim 33. Thus, a *prima facie* case of obviousness has not been established, and the rejection of claim 33 should be withdrawn.

e. Claims 34-47

For at least the reasons given above, claim 33 is allowable over the cited art of record. Since claims 34-47 depend from claim 33 and recite additional features, claims 34-47 are allowable as a matter of law over the cited art of record.

CONCLUSION

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for at least the specific and particular reason that the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

For at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. In addition, Applicants reserve the right to address any comments made in the Office Action that were not specifically addressed herein. Thus, such comments should not be deemed admitted by the Applicants. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,


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